

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILEDUNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

2016 JUN 21 PM 1:34

CLERK

UNITED STATES OF AMERICA,

v.

MARK E. MCGINNIS,
Defendant.)
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Case No. 2:16-cr-00016-cr-1

ORDER

On June 20, 2016, Defendant Mark McGinnis moved to continue the filing date for pretrial motions for thirty (30) days. Defendant notes that his pretrial motions were due on June 20, 2016, and that he has requested one continuance previously. As bases for this motion, defense counsel asserts that further time is necessary to thoroughly investigate the charges against the defendant and to discuss and evaluate this evidence with the defendant. In particular, discussions with the government indicate that additional discovery will be forthcoming in the next day or so.

The defense explains that granting the additional time to investigate and assess the merits of the defendant's case, as well as to discuss these matters with the defendant, will inform counsel's strategic decision-making about the case, will inform counsel's evaluation of potential pretrial motions, will inform counsel's discussions with the government, and will inform any mitigation arguments that may be made. These factors all support a continuance under 18 U.S.C. § 3161(h)(7)(B)(i).

The government, through Mr. Michael Drescher, the Assistant United States Attorney on the case, does not have an objection to this motion.

The Court, having considered this application, finds that the failure to grant this continuance would unreasonably deny the defendant the reasonable time necessary for effective

preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

The Court further finds that the ends of justice served by taking this action outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Finally, the Court finds that the additional time granted will be, and is, excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

Accordingly, the Defendant's Motion is GRANTED. Pretrial motions are to be filed by

July 20, 2016.

Dated at Burlington, Vermont this 21st day of June, 2016.



Hon. Christina Reiss
Chief Judge, United States District Court,
District of Vermont